

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
) INDICTMENT NO. 05-10039-NG
)
v.)
)
ARCENIO POCHE-CHACON)
aka ANDRES DEL ROSARIO ALAYON)

DEFENDANT’S ASSENTED TO MOTION TO CONTINUE
STATUS HEARING

Arcenio Poche-Chacon (the “Defendant”), in the above-numbered Indictment and through Counsel, moves this Court to continue the hearing on this matter currently scheduled for October 25, 2007 and requests this Court to set this case down for Rule 11 hearing in four to five weeks. The defendant speaks no English and an interpreter will be necessary.

Respectfully submitted,
ARCENIO POCHE-CHACON,
By his Counsel:

‘/s/Walter H. Underhill, Esquire’
WALTER H. UNDERHILL
66 Long Wharf
Boston, Massachusetts 02110
(617) 523-5858

DATED: October 25, 2007

SPEEDY TRIAL WAIVER

The defendant agrees that the time from October 25, 2007 until the next scheduled hearing date on the defendant’s motions to suppress is excludable time under the Speedy Trial Act and hereby waives said period of time.

SIGNED: ‘/s/Walter H. Underhill, Esquire’
 WALTER H. UNDERHILL, ESQ.

DATED: October 25, 2007

RULE 7.1 CERTIFICATION

I have contacted AUSA Paul Moore and notified him of my motion to continue. Although I did not speak to him personally, we have an understanding that motions to continue are assented to unless communicated otherwise by either counsel.

SIGNED: ‘/s/Walter H. Underhill, Esquire’

DATE: October 25, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

SIGNED: ‘/s/Walter H. Underhill, Esquire’
WALTER H. UNDERHILL, ESQ.

DATE: October 25, 2007